

[CHAPTER 271.]

AN ACT

To authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States.

March 4, 1933.

[S. 5701.]

[Public, No. 431.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DELAWARE RIVER AT BUSHKILL, PENNSYLVANIA

SECTION 1. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes the Bushkill Bridge Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, at or near Bushkill, Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the condition and limitations contained in this Act.

Bridge construction,
etc.
Delaware River at
Bushkill, Pa.

Construction.

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(b) There is hereby conferred upon the Bushkill Bridge Company, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of ap-
proaches.

(c) The said Bushkill Bridge Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll rates.

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(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Pennsylvania, the State of New Jersey, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly,¹ may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of five years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Acquisition author-
ized after completion,
by Pennsylvania, New
Jersey, etc.

Conveyance subject
only to indebtedness,
etc., for construction,
etc.

¹ So in original.

Tolls under State,
etc., operation.

Rates applied to oper-
ation, sinking fund,
etc.

Maintenance as free
bridge, etc., after amor-
tizing costs.

Record of expendi-
tures and receipts.

Sworn statement of
construction cost, etc.,
to be filed after com-
pletion.

Investigation by Sec-
retary of War.

Records to be avail-
able.

Findings of Secretary
conclusive.

Right to sell, etc.,
conferred.

Columbia River near
The Dalles, Oreg.

(e) If such bridge shall be at any time be¹ taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

(f) The Bushkill Bridge Company, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Pennsylvania and New Jersey a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Bushkill Bridge Company, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Bushkill Bridge Company, its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

COLUMBIA RIVER NEAR THE DALLES, OREGON

SEC. 2. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes The Dalles Bridge Company, its successors and assigns, be and is hereby, authorized to construct, maintain, and operate a

¹ So in original.

bridge and approaches thereto across the Columbia River, at a point suitable to the interests of navigation, the bridge to be located at approximately in either section 20, 29, or 30, township 2 north, range 14 east, Willamette meridian, in the State of Oregon, and from the point of beginning on the Oregon shore of said river, thence running in a northerly direction to a suitable landing in the State of Washington and on the Washington side of said Columbia River, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this Act.

Construction.
Vol. 34, p. 84.

(b) There is hereby conferred upon The Dalles Bridge Company, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches.

(c) The said The Dalles Bridge Company, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll rates.
Vol. 34, p. 85.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Washington, the State of Oregon, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Acquisition authorized after completion by Washington, Oregon, etc.

Conveyance subject only to indebtedness, etc., for construction, etc.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reason-

Tolls under State, etc., operation.

Rates applied to operation, sinking fund, etc.

¹ So in original.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Sworn statement of construction cost, etc., to be filed after completion.

Investigation by Secretary of War.

Records to be available.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Ohio River near Shawneetown Ill.

Time extended for bridging.

Vol. 45, p. 478; Vol. 46, pp. 29, 1490, amended.

Missouri River at Brownville, Nebr. Time extended for bridging.

Vol. 46, p. 551, amended.

able charges, but within a period of not to exceed fifteen years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

(f) The Dalles Bridge Company, its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Washington and Oregon, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said The Dalles Bridge Company, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to The Dalles Bridge Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

OHIO RIVER NEAR SHAWNEETOWN, ILLINOIS

SEC. 3. That the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Illinois, and a point opposite thereto in Union County, Kentucky, authorized to be built by J. L. Rowan, his heirs, legal representatives, and assigns, by an Act of Congress, approved May 1, 1928, heretofore extended by Acts of Congress, approved June 20, 1929, and March 3, 1931, are hereby further extended one and three years, respectively, from March 3, 1933.

MISSOURI RIVER AT BROWNVILLE, NEBRASKA

SEC. 4. That the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska, authorized to be built by the Brownville Bridge Company, its successors and assigns, by an Act of Congress approved February 26, 1929, heretofore extended by an Act of Congress

approved June 10, 1930, are hereby further extended one and three years, respectively, from February 26, 1933.

MISSOURI RIVER AT RULO, NEBRASKA

SEC. 5. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, John C. Mullen, John H. Hutchings, and William Shepherd, their heirs, legal representatives, and assigns be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation, at or near Rulo, Nebraska, in accordance with the provision of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Missouri River at
Rulo, Nebr.
Bridge construction.

Vol. 34, p. 84.

(b) There is hereby conferred upon John C. Mullen, John H. Hutchings, and William Shepherd, their heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of ap-
proaches.

(c) The said John C. Mullen, John H. Hutchings, and William Shepherd, their heirs, legal representatives, and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll rates.

Vol. 34, p. 85.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Nebraska, the State of Missouri, any public agency or political subdivision of either of such States within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

Acquisition author-
ized, after completion,
by Nebraska, Missouri,
etc.

Conveyance subject
only to indebtedness,
etc., for construction,
etc.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls

Tolls under State,
etc., operation.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Sworn statement of construction cost, etc., to be filed upon completion.

Investigation by Secretary of War.

Records to be available.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Mississippi River near Baton Rouge, La.

Time extended for bridging.

Vol. 45, pp. 130, 1093;
Vol. 46, p. 551.
Ante, pp. 45, 1413.

are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

(f) The said John C. Mullen, John H. Hutchings, and William Shepherd, their heirs, legal representatives, and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Nebraska and Missouri a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said John C. Mullen, John H. Hutchings, and William Shepherd, their heirs, legal representatives, and assigns, shall make available all of the records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to John C. Mullen, John H. Hutchings, and William Shepherd, their heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

MISSISSIPPI RIVER NEAR BATON ROUGE, LOUISIANA

SEC. 6. That the times for commencing and completing the construction of the bridge across the Mississippi River at or near Baton Rouge, Louisiana, authorized to be built by the Baton Rouge-Mississippi River Bridge Company, its successors and assigns, by an Act of Congress approved February 20, 1928, heretofore extended by Acts of Congress approved January 25, 1929, June 10, 1930, and February 10, 1932, are hereby further extended two and four years, respectively, from February 20, 1933.

OHIO RIVER AT SISTERSVILLE, WEST VIRGINIA

Ohio River at Sistersville, W. Va.

Time extended for bridging.

Vol. 45, pp. 135, 1528;
Vol. 46, p. 1063.

SEC. 7. That the times for commencing and completing the construction of a bridge authorized by an Act of Congress approved February 20, 1928, to be built by the Sistersville Ohio River Bridge Company, its successors and assigns, across the Ohio River at or near Sistersville, Tyler County, West Virginia, heretofore extended by Acts of Congress approved March 2, 1929, and February 7, 1931, are hereby further extended one and three years, respectively, from February 20, 1933.

POTOMAC RIVER NEAR DAHLGREN, VIRGINIA

Potomac River near Dahlgren, Va.

Bridge construction.

Location.

Construction.
Vol. 34, p. 84.

Acquisition of approaches.

SEC. 8. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the George Washington-Wakefield Memorial Bridge, Inc., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a highway or combined highway and railroad bridge and approaches thereto across the Potomac River at a point suitable to the interests of navigation from a point in the vicinity of Dahlgren in the northeastern end of King George County, in the State of Virginia, to a point south of Popes Creek, in the county of Charles, in the State of Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

(b) There is hereby conferred upon the said George Washington-Wakefield Memorial Bridge, Inc., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation and maintenance of such bridge and its approaches and terminals as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes in the State or States in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State or States, and the proceedings therefor shall be the same as in the condemnation and expropriation of property for public purposes in such State or States.

Toll rates.

(c) The said George Washington-Wakefield Memorial Bridge, Inc., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

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Acquisition authorized after completion, by Virginia, Maryland, etc.

(d) After the completion of such bridge, as determined by the Secretary of War, either the State of Virginia, the State of Maryland, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase, or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of twenty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable

Conveyance subject only to indebtedness, etc., for construction, etc.

deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs (not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property); and (4) actual expenditures for necessary improvements.

Tolls under State,
etc., operation.

Rates applied to oper-
ation, sinking fund,
etc.

Maintenance, as free
bridge, etc., after amor-
tizing costs.

Record of expendi-
tures and receipts.

Sworn statement of
construction cost, etc.,
to be filed upon com-
pletion.

Investigation by Sec-
retary of War.

Records to be avail-
able.

Findings of Secretary
conclusive.

Right to sell, etc.,
conferred.

(e) If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches, under economical management to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for operation, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

(f) The said George Washington-Wakefield Memorial Bridge, Inc., its successors and assigns, shall within ninety days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of Virginia and Maryland a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor and actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said George Washington-Wakefield Memorial Bridge, Inc., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the said George Washington-Wakefield Memorial Bridge, Inc., its successors and assigns, and any corporation to which or any persons to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

MERRIMACK RIVER NEAR PLUM ISLAND POINT, MASSACHUSETTS

SEC. 9. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, Essex Shore Way (Incorporated), its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Merrimack River, at a point suitable to the interests of navigation, at or near Plum Island Point, Massachusetts, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Merrimack River
near Plum Island
Point, Mass.

Construction.
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(b) After the completion of such bridge, as determined by the Secretary of War, either the Commonwealth of Massachusetts, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such Commonwealth governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of ten years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

Acquisition authorized after completion by Massachusetts, etc.

Conveyance subject only to indebtedness, etc., after construction.

(c) If such bridge shall at any time be taken over or acquired by the Commonwealth of Massachusetts, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls under State, etc., operation.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

(d) The Essex Shore Way (Incorporated), its successors and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War and with the Public Works Department of the Commonwealth of Massachusetts a sworn itemized statement showing the actual original cost of constructing the bridge

Sworn statement of construction cost, etc., to be filed after completion.

Investigation by Secretary of War.

Records to be available.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Chesapeake Bay, between Baltimore and Kent Counties, Md.

Location.

Construction.
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Proviso.
Emergency closing.

Acquisition authorized after completion, by Maryland, etc.

and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the Public Works Department of the Commonwealth of Massachusetts shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Essex Shore Way (Incorporated), its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

(e) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Essex Shore Way (Incorporated), its successors and assigns; and any corporation to which, or any person to whom, such rights, powers, and privileges may be sold, assigned, or transferred or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

CHESAPEAKE BAY BETWEEN BALTIMORE AND KENT COUNTIES, MARYLAND

SEC. 11. (a) That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Chesapeake Bay Bridge Company, a corporation organized and existing under the laws of the State of Maryland, its successors and assigns, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay, at a point suitable to the interests of navigation, from a point in Baltimore County, Maryland, south of Back River, to Hart Island, to Miller Island, and thence to some point in Kent County, Maryland, between thirty-nine degrees and twelve minutes and thirty-nine degrees and thirteen minutes and thirty seconds north latitude, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act: *Provided*, That in the interests of national defense, and for the protection of life and property, the Secretary of War is hereby authorized and empowered, when, in his judgment, military necessity shall require it, to close said bridge to traffic at such time and during such periods as he may determine.

(b) After the completion of such bridge, as determined by the Secretary of War, either the State of Maryland, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation.

If at any time after the expiration of thirty years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

Conveyance subject only to indebtedness, etc., for construction, etc.

(c) If such bridge shall at any time be taken over or acquired by the State of Maryland, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed thirty years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper repair, maintenance, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Tolls under State, etc., operation.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs, etc.

Record of expenditures and costs.

(d) The said Chesapeake Bay Bridge Company, its successors and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War and with the highway department of the State of Maryland a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may, and at the request of the highway department of the State of Maryland shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Chesapeake Bay Bridge Company, its successors and assigns, shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War as to the reasonable cost of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

Sworn statement of construction costs, etc., to be filed after completion.

Investigation by Secretary of War.

Records to be available.

Findings of Secretary conclusive.

(e) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the said Chesapeake Bay Bridge Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or trans-

Right to sell, etc., conferred.

ferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Missouri River near
Niobrara, Nebr.

MISSOURI RIVER NEAR NIOBRARA, NEBRASKA

Time extended for
bridging.

SEC. 12. That the times for the commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebraska, authorized to be built by H. A. Rinder, his heirs, legal representatives, and assigns, by Act of Congress approved May 22, 1928, and extended by Act of Congress approved March 4, 1929, and further extended by Act of Congress approved March 3, 1930, are hereby further extended one and three years, respectively, from May 22, 1933.

Vol. 45, pp. 708, 1562;
Vol. 46, p. 75.

East branch of Ni-
agara River.

EAST BRANCH OF THE NIAGARA RIVER NEAR NIAGARA FALLS, NEW YORK, AND TONAWANDA, NEW YORK

Bridge construction.

SEC. 13. (a) That the consent of Congress is hereby granted to the Niagara Frontier Bridge Commission, a State commission, created by an act of the Legislature of the State of New York (chapter 594 of the Laws of 1929), as amended, its successors and assigns, to construct, maintain, and operate two toll bridges and approaches thereto across the east branch of the Niagara River, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, one such bridge to be located at a point suitable to the interests of navigation, from the city of Niagara Falls, in the county of Niagara and State of New York, at a point east of Evershed Avenue in said city of Niagara Falls, to Grand Island, in the county of Erie and State of New York, and the other such bridge to be located at a point suitable to the interests of navigation, from the town of Tonawanda about midway between the southerly city limits of the city of Tonawanda and the northerly city limits of the city of Buffalo to Grand Island, in the county of Erie and State of New York.

Construction.
Vol. 34, p. 84.

At Niagara Falls,
N. Y.

At Tonawanda,
N. Y.

Time limitation.

(b) That this Act shall be null and void unless construction of each of such bridges is commenced within two years and completed within five years from the date of approval hereof.

Use of tolls to pro-
vide for operation and
sinking fund.

(c) If tolls are charged for the use of such bridges, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating such bridges and their approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridges and their approaches, including reasonable interest and financing costs, as soon as possible under reasonable charges: *Provided, however,* That nothing herein contained shall prevent the payment of the reasonable cost of maintaining, repairing, and operating such bridges and their approaches from funds derived other than from such tolls. After a sinking fund sufficient for such amortization of the total cost of such bridges and their approaches shall have been so provided, such bridges shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of such bridges and their approaches under economical management. An accurate record of the cost of such bridges and their approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Proviso.
Payment of opera-
ting expenses.

Maintenance as free
bridge, etc., after amor-
tizing costs.

Record of expendi-
tures and receipts.

(d) That Public Acts Numbered 363 and 364 of the Seventy-first Congress and Public Acts Numbered 195 and 221 of the Seventy-second Congress be, and they are hereby, repealed.

Acts repealed.
Vol. 46, pp. 764, 765.
Anie, pp. 334, 448,
repealed.

HUDSON RIVER NEAR CATSKILL, NEW YORK

Hudson River near
Catskill, N. Y.

Former Acts
amended.

SEC. 14. That the Act entitled "An Act granting the consent of Congress to the State of New York to construct, maintain, and operate a highway bridge across the Hudson River at or near Catskill, Greene County, New York," approved June 5, 1930, as supplemented by the Act of April 15, 1932, be, and the same is hereby, amended to read as follows:

Vol. 46, p. 501.
Anie, p. 36, amended.

Provisions for bridg-
ing, modified.

"The consent of Congress is hereby granted to the State of New York to construct, maintain, and operate, pursuant to chapter 548 of the Laws of the State of New York of 1932, as heretofore or hereafter amended, a highway bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, at or near Catskill, Greene County, New York, in accordance with the provisions of an Act entitled 'An Act to regulate the construction of bridge¹ over navigable waters', approved March 23, 1906.

Construction.
Vol. 34, p. 84.

"SEC. 2. The consent hereby granted shall inure to the benefit of all successors in the ownership of said highway bridge and approaches, or any part thereof.

Benefits to succe-
sors.

"SEC. 3. The actual work of construction of said bridge shall be begun, in accordance with the plans therefor approved or to be approved by or under authority of the Chief of Engineers and the Secretary of War, within one year from the approval of this Act, as amended, and such work shall be completed within three years from the date of such approval."

Time limitations.

MISSISSIPPI RIVER AT SAINT LOUIS, MISSOURI

SEC. 15. That the time for completing the construction of approaches and also extensions or additions thereto of the municipal bridge across the Mississippi River at Saint Louis, Missouri, authorized to be built by the city of Saint Louis, Missouri, by an Act of Congress approved June 25, 1906, and heretofore extended by Acts of Congress approved February 11, 1918, June 14, 1920, February 13, 1924, January 26, 1927, and February 7, 1930, is hereby extended three years from June 25, 1933.

Mississippi River at
Saint Louis, Mo.
Time extended for
bridging.

Vol. 34, p. 461; Vol.
40, p. 436; Vol. 41, p.
1077; Vol. 43, p. 7;
Vol. 44, p. 1062; Vol. 46,
p. 68.

SEC. 16. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 4, 1933.

[CHAPTER 272.]

AN ACT

To add certain lands to the Modoc National Forest, in the State of California.

March 4, 1933.

[H. R. 189.]

[Public, No. 432.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act approved March 20, 1922 (U. S. C., title 16, secs. 486, 487), entitled "An Act to consolidate national forest lands", as amended, are hereby extended and made applicable to all lands within the following described area: northeast quarter, northeast quarter northwest quarter, south half northwest quarter, southwest quarter, east half southeast quarter, southwest quarter southeast

Modoc National For-
est, Calif.
Lands added to.
Vol. 43, p. 1090.
U. S. C., p. 420.
Description.

¹ So in original.